

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In Re: CARL E. WHITE THERESA M. GAVIN-WHITE Debtor(s) ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC Movant v. CARL E. WHITE THERESA M. GAVIN-WHITE Debtor(s) SCOTT F. WATERMAN Trustee Respondent(s)	Chapter 13 Case Number: 24-14498-amc
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**MOTION FOR RELIEF FROM AUTOMATIC STAY WITH RESPECT TO PROPERTY: 109
CHESTER AVE, FOLSOM, PA 19033-3611**

Rocket Mortgage, LLC f/k/a Quicken Loans, LLC, through its Counsel, Stern & Eisenberg PC, respectfully requests the Court grant its Motion for Relief and in support thereof respectfully represents as follows:

1. Movant is Rocket Mortgage, LLC f/k/a Quicken Loans, LLC (hereafter referred to as “Movant”).
2. Debtor(s), Theresa M. Gavin-White and Carl E. White (hereinafter, “Debtor(s)”), is/are, upon information and belief, adult individual(s) whose last-known address is 109 Chester Ave, Folsom, PA 19033-3611.
3. On May 14, 2021, Carl E. White and Theresa M. Gavin-White, executed and delivered a Note in the principal sum of \$191,468.00 to Quicken Loans, LLC. A copy of the Note is attached as Exhibit “A” and is hereby incorporated by reference.
4. As security for the repayment of the Note, Theresa M. Gavin-White and Carl E. White, executed and delivered a Mortgage to Mortgage Electronic Registration Systems, Inc. (“MERS”), solely as nominee for Quicken Loans, LLC . The Mortgage was duly recorded in the Office of the Recorder of Deeds in and for Delaware County on June 28, 2021 in Book 6707, Page 0212. A copy of the Mortgage is attached as Exhibit “B” and is hereby incorporated by reference.
5. The Mortgage encumbers Debtor’s real property located at 109 Chester Ave, Folsom, PA 19033-3611.
6. By assignment of mortgage, the loan was ultimately assigned to Rocket Mortgage, LLC f/k/a Quicken Loans, LLC. A true and correct copy of the assignment is attached as Exhibit “C” and is hereby incorporated by reference.

7. Debtor(s) filed the instant Chapter 13 Bankruptcy on December 17, 2024 and, as a result, any state court proceedings were stayed.
8. It is believed and therefore averred that Debtor(s) filed the instant bankruptcy as an additional delay in order to prevent Movant from proceeding with the state court proceedings or otherwise institute proceedings as allowed under the Mortgage.
9. Debtor's mortgage loan is in default and is currently due for the January 1, 2025 payment and each subsequent payment through the date of the motion. Debtor(s) has/have failed to make the following post-petition payments to Movant:

POST-PETITION PAYMENTS IN DEFAULT

Monthly Payments in Default.....	01/01/2025 to 03/01/2025
Monthly payments (\$1,794.91 x 3)	\$5,384.73
Total Amounts Due as of March 14, 2025:	\$5,384.73

10. In addition, Movant has incurred counsel fees and costs in association with Debtor's default and this motion.
11. As a result of the Debtor's default and failure to make payments or to otherwise adequately provide for Movant in the bankruptcy filing, Movant is not adequately protected and is entitled to relief.
12. Further, the Debtor's Schedule D indicates a valuation of the property in the amount of \$235,600.00, with Movant's first lien against the property in the amount of \$200,624.77. Accordingly, there is little to no equity in the Property and the property is not necessary for an effective reorganization. A copy of the Debtor's Schedule D is attached as Exhibit "D" and incorporated herein by reference.
13. To the extent the Court does not find that relief is appropriate, then Movant requests that the stay be conditioned such that in the event the Debtor(s) fall(s) behind on post-petition payments or trustee payments that Movant may receive relief upon default by the Debtor(s) of the terms of the conditional order.
14. Movant requests that the stay of Bankruptcy Rule 4001(a)(3) be waived.

WHEREFORE, Movant, Rocket Mortgage, LLC f/k/a Quicken Loans, LLC, respectfully requests this Court to grant the appropriate relief under 11 U.S.C. §362 from the automatic stay as set forth in the proposed order together with waiver of Bankruptcy Rule 4001(a)(3).

Respectfully Submitted:

Stern & Eisenberg, PC

By: /s/ Daniel P. Jones

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Date: March 20, 2025